

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KELLY MANNO,

Plaintiff,

-v-

MICHAEL CHE CAMPBELL p/k/a MICHAEL CHE,  
REGGIE CONQUEST, UNIVERSAL TELEVISION LLC,  
NBCUNIVERSAL MEDIA, LLC, THE BROADWAY  
VIDEO GROUP, INC., LEATHER SUIT, INC., IRONY  
POINT, LLC, WARNERMEDIA, LLC d/b/a HBO MAX,  
and DOES 1-10

Defendants.

21 Civ. 7666 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On November 3, 2021, the Court held an initial pretrial conference in this case and addressed, *inter alia*, whether to stay discovery pending resolution of defendants' forthcoming motion to dismiss under Rule 12 of the Federal Rules of Civil Procedure, which is due on November 12, 2021. Pending resolution of the motion, discovery is stayed. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by December 3, 2021. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by December 24, 2021, defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the previously filed motion to dismiss.<sup>1</sup>

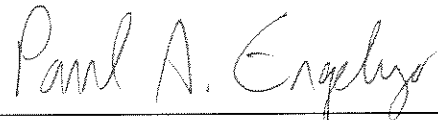
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<sup>1</sup> If defendants file a new motion to dismiss or rely on their previous motion, plaintiff's opposition will be due 14 days thereafter, and defendants' reply, if any, will be due seven days after that.

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by December 3, 2021. Defendants' reply, if any, shall be served by December 17, 2021. At the time any reply is served, the moving party shall supply the Court with a courtesy copy of all motion papers by attaching them as PDF files to a single email addressed to [EngelmayerNYSDChambers@nysd.uscourts.gov](mailto:EngelmayerNYSDChambers@nysd.uscourts.gov).

The Court will determine later, after receipt of plaintiff's anticipated brief opposing a motion to dismiss the current or amended complaint, whether to schedule oral argument.

SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer", is written over a horizontal line.

PAUL A. ENGELMAYER  
United States District Judge

Dated: November 4, 2021  
New York, New York